

**Village of Indian Head Park  
201 Acacia Drive  
Indian Head Park, IL 60525**

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**MINUTES  
VILLAGE OF INDIAN HEAD PARK  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING**

*“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken.”*

**Tuesday, November 6, 2008**

**7:30 P.M.**

**I. CALL TO ORDER - CHAIRMAN DENNIS SCHERMERHORN**

A public hearing was hosted by the Village of Indian Head Park Planning and Zoning Commission on Tuesday, November 8, 2008, at the Municipal Facility, 201 Acacia Drive to consider Petition #171 concerning a public hearing submitted by the Village of Indian Head Park regarding two zoning petitions. Chairman Schermerhorn stated that the Commission will review text amendments to the Zoning Code of Indian Head Park as it relates to general provisions and standards regarding fences as well as procedures by which individuals may request a reasonable accommodation in accordance with the American with Disabilities Act. The meeting was convened and called to order at 7:30 p.m. by Chairman Dennis Schermerhorn. Kathy Leach, Zoning Commission Secretary, called the roll as follows:

**II. ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):**

Chairman Dennis Schermerhorn  
Commissioner Noreen Costelloe  
Commissioner Denise Ingram  
Commissioner Jack Yelnick

**NOT PRESENT:**

Commissioner Diane Andrews  
Commissioner Mike Lopez  
Commissioner Earl O'Malley

**ALSO PRESENT:**

Debbie Anselmo, Zoning Trustee  
Carol Coleman, Zoning Trustee  
Richard Ramello, Village Counsel, Storino, Ramello and Durkin  
Kathleen Reifsnyder, Counsel, Storino, Ramello and Durkin

### **III. PLEDGE OF ALLEGIANCE TO THE FLAG**

Chairman Schermerhorn and the Planning and Zoning Commission members led the audience in reciting the Pledge of Allegiance to the Flag as follows: ***“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”.***

### **QUESTIONS AND/OR COMMENTS FROM INDIAN HEAD PARK RESIDENTS/PROPERTY OWNERS IN ATTENDANCE REGARDING ZONING AGENDA ITEMS**

None

### **IV. PUBLIC HEARING HELD BEFORE THE VILLAGE OF INDIAN HEAD PARK PLANNING AND ZONING COMMISSION (PUBLIC COMMENTS RECEIVED AFTER DISCUSSIONS BY THE PLANNING AND ZONING COMMISSION MEMBERS AND PRIOR TO VOTES)**

#### **ZONING AGENDA ITEMS:**

- 1. Petition #171 – A petition to consider two text amendments to the Zoning Code of the Village of Indian Head Park regarding general provisions and standards as it relates to fences as well as procedures by which individuals with disabilities may request a reasonable accommodation in accordance with the American with Disabilities Act.**

Chairman Schermerhorn convened the public hearing regarding Petition #171 for various amendments to the Village of Indian Head Park Municipal Code. He pointed out that earlier in the year the Planning and Zoning Commission considered a petition for certain circumstances to allow for a safety fence for a special needs child. Chairman Schermerhorn stated that the ordinance in place at that time did not specifically have a process defined in the code to address accommodations for a special needs situation under the American with Disabilities Act and Fair Housing Act. He noted that the purpose of the hearing this evening is to provide a recommendation to the Village Board to establish procedures by which individuals may request a reasonable accommodation under the American with Disabilities Act and Fair Housing Act while still maintaining the current fence regulations and maintaining the surroundings of the Village.

Chairman Schermerhorn stated that Richard Ramello, Village legal counsel, is present this evening as well as Debbie Anselmo, Zoning Trustee on the Village Board.

Chairman Schermerhorn stated that members of the audience will be provided an opportunity to comment on the zoning matters before the Commission once the members have reviewed and discussed the proposed zoning amendments.

Chairman Dennis Schermerhorn noted that a zoning petition application was filed by the Village of Indian Head Park Board of Trustees to consider text amendments to the Village of Indian Head Park Zoning Code to provide procedures by which individuals with disabilities may request a reasonable accommodation in accordance with the American with Disabilities Act and Fair Housing Act.

The following exhibits were presented and reviewed by the Commission concerning this zoning petition: (1) a zoning petition form dated October 14, 2008 signed by Village Administrator Frank Alonzo; (2) a Certificate of Publication notice in the Suburban Life Newspaper on Saturday, October 18, 2008; (3) a proposed draft ordinance amending Chapter 17.12, entitled “**General Provisions**” of **Title 17** entitled “**Zoning**” of the Village of Indian Head Park Municipal Code; (4) a draft ordinance adding **Chapter 17.25** entitled “Reasonable Accommodations for Individuals with Disabilities” to **Title 17** entitled “Zoning” of the Indian Head Park Municipal Code; (5) a draft ordinance amending **Section 15.21.060**, entitled “Design and Construction Standards” of Chapter 15.21, entitled “Swimming Pools” of the Indian Head Park Municipal Code.

Chairman Schermerhorn noted this Petition for Text Amendment has been requested in order to provide the procedure by which individuals with disabilities may request a reasonable accommodation in the Village of Indian Head Park, Illinois according to the American with Disabilities Act and Fair Housing Act. Chairman Schermerhorn stated the proposed language of the text amendment to add **Chapter 17.25** to the Village of Indian Head Park Zoning Code includes the following:

**“CHAPTER 17.25  
REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH  
DISABILITIES**

**17.25.010 Individual with disability.**

In accordance with the American with Disabilities Act (42 U.S.C. § 12101, *et seq.*) and the Fair Housing Amendments Act (42 U.S.C. § 3601, *et seq.*), an individual with a disability is defined as an individual who: (a) has a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (b) has a record of such impairment;

or (c) is regarded as having such impairment. The terms used in this Section shall be interpreted in accordance with the American with Disabilities Act (42 U.S.C. § 12101, *et seq.*).

**17.25.020 Application.**

In order to be afforded an equal opportunity to use and enjoy housing, an individual with a disability may apply for a reasonable accommodation requesting a variation or amendment of a requirement of this Title 17 or any other section of the Indian Head Park Municipal Code applicable to housing or the use of land. The individual with a disability or the parent, guardian or legal representative of an individual with a disability requesting the accommodation shall file an application with the Village Clerk. The application shall describe: (a) the accommodation requested; (b) the impairment for which the accommodation is requested; (c) the prognosis of the timeframe for which the accommodation will be required; and (d) a report of a medical professional in the appropriate discipline detailing the impairment for which the accommodation is requested, the necessity of the accommodation, and the prognosis of the timeframe for which the accommodation will be required. The Village Clerk shall forward all applications for a reasonable accommodation to the Planning and Zoning Commission for hearing.

**17.25.030 Notice.**

Notice of the hearing shall be published at least once, not more than thirty (30) nor less than fifteen (15) days before the hearing, in one or more newspapers with a general circulation in the Village. If the accommodation requested involves the variation or amendment of a provision of this Title 17, notice complying with the requirements of Sections 17.24.120 and 17.24.130 shall be provided.

**17.25.040 Hearing .**

The Planning and Zoning Commission shall conduct a public hearing. The Planning and Zoning Commission shall receive evidence and/or testimony regarding and shall make findings of fact based upon the evidence and/or testimony presented. The applicant shall have the burden of establishing that (1) the individual for whom the reasonable accommodation is requested is an individual who: (a) has a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (b) has a record of such impairment; or (c) is regarded as having such impairment; (2) whether or not the accommodation requested is: (a) reasonable; (b) necessary; and (c) affords the individual with a disability an equal opportunity to use and enjoy housing, and (3) the prognosis of the timeframe for which the accommodation will be required. In order for a

request for a reasonable accommodation to be denied once an applicant has established that (1) the individual for whom the reasonable accommodation is requested is an individual who:

(a) has a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (b) has a record of such impairment; or (c) is regarded as having such impairment; (2) whether or not the accommodation requested is: (a) reasonable; (b) necessary; and (c) affords the individual with a disability an equal opportunity to use and enjoy housing, and (3) the prognosis of the timeframe for which the accommodation will be required, the evidence and/or testimony thereafter must establish unreasonableness or undue hardship in the particular circumstances.

A requested accommodation shall be found unreasonable if it imposes undue financial or administrative burdens on the Village, or if the requested accommodation is so at odds with the building, zoning or other applicable code that it would require a fundamental alteration to the code.

The Planning and Zoning Commission may request such evidence and testimony as is required to make its findings of fact, including, but not limited to, the testimony of the medical professional retained by the applicant who provided the report accompanying the application, the report or testimony of an independent medical professional retained by the Village regarding the impairment for which the accommodation is requested, the necessity of the accommodation, and the prognosis of the timeframe for which the accommodation will be required.

B. After an applicant for a reasonable accommodation has presented its evidence and/or testimony, the Planning and Zoning Commission may evaluate the applicant's request, considering the applicant's requested accommodation that is most appropriate based upon the evidence presented. The Planning and Zoning Commission's recommendation may propose a modified or different accommodation than the accommodation proposed by the applicant if the evidence presented indicates that a requested accommodation is unreasonable or poses an undue hardship in the particular circumstances. If the Planning and Zoning Commission's recommendation proposes a modified or different accommodation than the accommodation proposed by the applicant, the applicant may accept the Planning and Zoning Commission's recommendation or may elect to provide additional evidence in support of the applicant's original request or an amended request. The Planning and Zoning Commission shall make proposed findings of fact based upon the recommendation that, pursuant to the evidence and/or testimony presented, it meets the standards set forth herein.

C. The Planning and Zoning Commission shall not approve a request for a reasonable accommodation unless it shall have made findings based upon the evidence and/or testimony presented to it in the following specific cases:

1. The individual for whom the reasonable accommodation is requested is an individual who:

(a) has a physical or mental impairment that substantially limits one or more of the major life activities of such individual;

(b) has a record of such impairment; or

(c) is regarded as having such impairment

2. The accommodation requested is reasonable;

3. The accommodation requested is necessary; and

4. The accommodation requested affords the individual with a disability an equal opportunity to use and enjoy housing.

The Planning and Zoning Commission shall forward its findings of fact to the Board of Trustees for consideration.

*After review and discussion, of the referenced section of the Village code, the Commission suggested a change to the wording in item 1 (c) of the referenced section to read as follows: (c) is diagnosed as having such impairment.*

Chairman Schermerhorn asked Counsel Richard Ramello if there are specific guidelines set forth for the Planning and Zoning Commission to follow when reviewing zoning petition applications for special need fence requests under various circumstances. Counsel Richard Ramello stated that there is no specific language in the proposed ordinance that addresses boundary fence parameters because each situation is unique and an accommodation for various needs would be different in each situation. He noted, for example, an accommodation may be requested for an individual with a disability that may have limited mobility or someone may request an accommodation for an individual with a disability that needs to be contained within the property boundary. Counsel Ramello stated that each request would be a unique situation and different in nature based on those particular circumstances and certain criteria would need to be met in order to consider a reasonable accommodation. He added that an unreasonable accommodation might be if the requested accommodation disturbs the zoning scheme that the Village has put in place or produces an undue hardship.

Counsel Ramello stated that the court system uses certain criteria in determining reasonable accommodations under the American with Disabilities Act and Fair Housing Act which allows a requested accommodation to be denied if it is determined to be not necessary because the request is unreasonable, or causes a financial hardship to a Village or other undue hardships.

Chairman Schermerhorn stated that safety fences that are required in connection with in-ground swimming pools have always been approved within a certain proximity of the pool area provided that screening is installed. He asked if the screening requirements could also be incorporated for any future fences that may be granted under reasonable accommodations for individuals with disabilities. Commissioner Costelloe stated that once a petitioner is found to meet certain criteria for a reasonable accommodation, the Commission then needs to balance the request against an undue hardship for the Village.

Counsel Ramello stated that a second proposed text amendment to the Zoning code, an amendment to Chapter 17.12 entitled "General Provisions" will also be considered by the Commission this evening that sets forth certain requirements for fences. He noted that landscape requirements could certainly be added to that section of the code as it relates to all circumstances for fences.

Commissioner Costelloe stated that there is no proposed written language in the amended ordinance that defines the fence coverage area of a property when considering requests for special accommodations relative to fences. Counsel Ramello stated that each situation would be unique circumstances and certain criteria would be reviewed to determine the facts of the request.

Counsel Ramello stated that one case in the court system in another community was a request by an individual with a special need who required a fence in their front yard and that Village denied the request and approved a portion of the back yard of the property to be fenced. He pointed out that the court system in that particular case ruled it was a reasonable accommodation based on those particular circumstances and criteria presented in the case. Counsel Ramello stated that the proposed procedures to be incorporated in the Village code sets forth guidelines according to the current American with Disabilities Act and Fair Housing Act regulations. He noted that a series of questions and information would be reviewed in the hearing process to determine the findings and need for a fence based on all of the information provided to the Commission.

#### **17.25.050 Decision of Board of Trustees.**

The Board of Trustees, upon receipt of the findings of fact of the Planning and Zoning Commission, and without further public hearing, shall grant an application for a reasonable accommodation if the standards set forth in Section 17.25.040 for granting a reasonable accommodation have been met. If the standards set forth in Section 17.25.040 for granting a reasonable accommodation have not been met, the Board of Trustees shall deny the request or may refer the request back to the Planning and Zoning Commission for further consideration. Approval of a request for a reasonable and necessary accommodation will not be unreasonably withheld.

#### **17.25.060. Restoration of premises.**

When a reasonable accommodation which has been granted by the Board of Trustees is no longer necessary, the individual who requested the accommodation shall, at his or her sole cost and expense, remove all structures and restore all premises to their original condition to the satisfaction of the Village building inspector.” Any ordinance approving a reasonable accommodation shall provide that the property owner of the premises for which a reasonable accommodation has been approved, shall notify the Village in writing within thirty (30) days of the occurrence of the following events:

- (a) the individual for whom the requested accommodations was made no longer resides at the premises;
- (b) the individual for whom the requested accommodation was made no longer suffers from the disability for which the accommodation was made;
- (c) an agreement for the transfer of ownership or sale of the premises has been executed; and
- (d) the closing of the transfer of ownership or the sale of the premises”.

*After review and discussion, the Commission suggested a change to the wording at the end of the first paragraph in the referenced section to read as follows: “any ordinance approving a reasonable accommodation shall provide that the property owner of the premises for which a reasonable accommodation has been approved shall notify the Village in writing within (30) days of the occurrence of any one of the following events:”*

Chairman Schermerhorn stated that the proposed ordinance does not have detail concerning a requirement to demonstrate an on-going need that the fence variance remains in effect. He suggested that possibly a recommendation could be made to the Village Board to have a review period every five years to determine if the special need situation for a fence still exists and to request a medical necessity update by an appropriate medical professional. Chairman Schermerhorn and the Commission members asked Counsel Ramello if an accommodation is granted for a special need that requires a fence, can that approval be recorded on the property so if the property transfers ownership, the fence can be removed if the need no longer exists.

*The current language of Section 17.24.060 and Section 17.24.070 of the Village of Indian Head Park Zoning Code is as follows:*

“F. Authorized Variations. The variations from the regulations of this title may be decided by the Zoning Board of Appeals only in accordance with the standards set forth in this section, and only in the following instances and no others:

1. To permit a yard less than the yard required by the applicable regulations.



2. To permit the use of a lot not of record on the effective date of the ordinance codified in this title for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than ninety percent of the required lot area.
3. To permit parking lots to be illuminated between the areas of nine thirty p.m. and seven a.m.
4. To permit the same off-street parking spaces to qualify as required spaces for two or more uses, provided that the maximum use of such facility by each user does not take place during the same hours or on the same days of the week.
5. To increase by not more than twenty-five percent the maximum distance that required parking spaces are permitted to be located from the use served.
6. To allow any permitted non-residential use in a residence district to exceed the floor area ration imposed by the applicable regulations.

#### **17.24.070 Amendments.**

A. Authority. The regulations imposed and the districts created under the authority of this title may be amended from time to time by ordinance in accordance with applicable statutes of the State of Illinois. An amendment shall be granted or denied by the Village Board only after a public hearing before the Zoning Board of Appeals, and a report of its findings and recommendations has been submitted to the Village Board.

Notice of the time and place of such public hearing shall be given, not more than thirty nor less than fifteen days before the hearing, by publishing a notice thereof at least once in one or more newspapers with a general circulation within Indian Head Park.

B. Initiation of Amendment(s) may be proposed by the Village Board, by the Plan Commission or by any resident of or owner of property in the Village.

C. Processing. An application for an amendment in quadruplicate with the required fee shall be filed with the Village Clerk and thereafter introduced to the Village Board by the Village Clerk to the Plan Commission with a request for a report of its findings and recommendations relative thereto. A copy shall also be forwarded to the Zoning Board of Appeals with a request to hold a public hearing after the Zoning Board of Appeals has received and studied the report and recommendations of the Planning Commission and thereafter submit a report of its findings and recommendations to the Village Board. A copy shall be forwarded to the building inspector and one copy retained for the Village Clerk's files.

D. Decisions. The Village Board, upon report from the Zoning Board of Appeals and without further public hearing, may grant or deny any proposed amendment in accordance with applicable statutes of the State of Illinois, or may refer it back to the Zoning Board of Appeals for further consideration.”

Chairman Schermerhorn stated that Village counsel has provided the following proposed text amendment to **Section 17.24.060 F** and **Section 17.24.070** of the Village of Indian Head Park Zoning Code:

“F. Authorized Variations. The variations from the regulations of this title may be decided by the Planning and Zoning Commission only in accordance with the standards set forth in this section, and only in the following instances and no others:

1. To permit a yard less than the yard required by the applicable regulations.
2. To permit the use of a lot not of record on the effective date of the ordinance codified in this title for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than ninety percent of the required lot area.
3. To permit parking lots to be illuminated between the areas of nine thirty p.m. and seven a.m.
4. To permit the same off-street parking spaces to qualify as required spaces for two or more uses, provided that the maximum use of such facility by each user does not take place during the same hours or on the same days of the week.
5. To increase by not more than twenty-five percent the maximum distance that required parking spaces are permitted to be located from the use served.
6. To allow any permitted non-residential use in a residence district to exceed the floor area ratio imposed by the applicable regulations.
7. To allow for a reasonable accommodation for an individual with a disability in accordance with Chapter 17.25 of this title.

#### **17.24.070 Amendments.**

A. Authority. The regulations imposed and the districts created under the authority of this title may be amended from time to time by ordinance in accordance with applicable statutes of the State of Illinois. An amendment shall be granted or denied by the Village Board only after a public hearing before the Zoning Board of Appeals, and a report of its findings and recommendations has been submitted to the Village Board.

Notice of the time and place of such public hearing shall be given, not more than thirty nor less than fifteen days before the hearing, by publishing a notice thereof at least once in one or more newspapers with a general circulation within Indian Head Park.

B. Initiation of Amendment(s) may be proposed by the Village Board, by the Plan Commission or by any resident of or owner of property in the Village.

C. Processing. An application for an amendment in quadruplicate with the required fee shall be filed with the Village Clerk and thereafter introduced to the Village Board by the Village Clerk to the Plan Commission with a request for a report of its findings and recommendations relative thereto.

A copy shall also be forwarded to the Zoning Board of Appeals with a request to hold a public hearing after the Zoning Board of Appeals has received and studied the report and

recommendations of the Planning Commission and thereafter submit a report of its findings and recommendations to the Village Board. A copy shall be forwarded to the building inspector and one copy retained for the Village Clerk's files.

D. Decisions. The Village Board, upon report from the Zoning Board of Appeals and without further public hearing, may grant or deny any proposed amendment in accordance with applicable statutes of the State of Illinois, or may refer it back to the Zoning Board of Appeals for further consideration.

E. Reasonable Accommodations. If an amendment to this title is proposed by an individual with a disability in order to request a reasonable accommodation in accordance with the American with Disabilities Act (42 U.S.C. subparagraph 12101, et seq.) and the Fair Housing Act (42 U.S.C. subparagraph 3601, et seq.) the procedure outlined in Chapter 17.25 of this title shall apply.

Chairman Schermerhorn stated that Counsel Ramello has provided an ordinance concerning amendments to the Zoning Code as follows: Section 17.12.120, entitled "Fences", Chapter 17.12 entitled, "General Provisions", Title 17, entitled "Zoning" of the Indian Head Park Municipal Code:

#### ***17.12.120 - Fences***

##### ***Fences are prohibited except as follows:***

A. Boundary fences constructed prior to March 31, 1964, provided that construction of such fences have deteriorated or become structurally unsound necessitating repair or replacement, wherein more than fifty percent (50%) of the boundary fence is to be repaired or replaced must comply with such terms and conditions as may be imposed following the procedures for variations in this Title.

Boundary fences constructed prior to March 31, 1964 shall be deemed a permitted non-conforming use. The permitted non-conforming use will be allowed to continue for a period not to exceed ten (10) years, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such non-conforming used shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use.

B. Fence enclosures which screen refuse containers on commercial properties, but only as large as necessary to screen in the refuse container.

C. Those fence enclosures required pursuant to Section 17.12.130 of this code.

D. Those fences which enclose a recreational area in a Planned Unit Development.

E. Those fences located on municipal property.

F. Swimming pool fences which comply with the standards of Section 15.21.060(D) of this Code.

G. On residential lots immediately adjacent to (or separated only by a street or public highway right-of-way from) a lot of parcel designated and zoned under a business district designated under Section 17.28.110 (B) of this Code, but only upon the following conditions:

1. That the fence shall be constructed only along and within five-feet (5') of the boundary of said lot which is adjacent to (or separated only by a street or public right-of-way from) the lot or parcel designated and zoned under a business district designation;
2. That the fence shall be no more than eight-feet (8') in height;
3. That the fence shall be constructed only of weather resistant wood, including cedar, redwood or treated lumber; and
4. That the materials and design of any repairs or replacement of a fence shall be identical to those of the fence repaired or replaced, but the height may be altered.

H. Fences required as reasonable accommodation for a person with a disability, in accordance with the American with Disabilities Act and the Fair Housing Act Amendments Act, which comply with the provisions of Chapter 17.25 of this Code.

I. Those required for safety as determined and upon such terms and conditions as may be imposed following the procedures for variations in this Title.

Commissioner Ingram inquired when the ten year period of time starts since there are some boundary fences that are non-conforming that were constructed prior to 1964 when the Zoning Code was established. Counsel Ramello stated that the ten year provision to allow existing non-conforming fences to remain only for a ten year period begins with the passage of the ordinance by the Board.

Counsel Ramello stated that provisions are also set forth in the code to allow for such terms and conditions that may be imposed to review certain circumstances relative to fences for safety. Chairman Schermerhorn thanked Village Counsel for providing a comprehensive analysis of the Village's Zoning Code as well as providing the proposed changes to the Zoning Code.

Chairman Schermerhorn noted for the record one letter that was received by mail to the Planning and Zoning Commission members from Lori and Tom Davis of 6482 Apache Drive that states:

*"Dear Chairman Schermerhorn, as we approach the discussions amending the fence code of Indian Head Park, we strongly urge the commissioners and trustees to require that those fences be surrounded by evergreens in consideration of the neighbors who chose Indian Head Park because of its parklike atmosphere. Many thanks for your consideration, Sincerely, Lori and Tom Davis."*

Chairman Schermerhorn entertained a motion to submit a recommendation to the Village Board to approve both zoning text amendments as prepared by counsel and provided to the Planning and Zoning Commission. Commissioner Costelloe moved, seconded by

Commissioner Yelnick, to submit a recommendation to the Village Board to approve text amendments to the Village of Indian Head Park Zoning Code sections as presented to the Planning and Zoning Commission, and as approved by Village counsel. Carried by unanimous roll call vote (4/0/3).

*Aye: Commissioners: Costelloe, Ingram, Yelnick and Chairman Schermerhorn*

*Nay: None*

*Absent: Commissioners Andrews, Lopez, O'Malley*

For the record, Chairman Schermerhorn stated that there were no public comments from the audience regarding the zoning matters before the Commission this evening.

Counsel Ramello stated that ordinances will be prepared for the Village Board's consideration amending various sections of the Village of Indian Head Park Zoning Code, as presented to the Commission.

**REVIEW AND APPROVAL OF PLANNING AND ZONING  
COMMISSION MEETING MINUTES  
(DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)**

**★ *Minutes of the Planning and Zoning Commission Meeting held August 5, 2008***

Upon review of the minutes presented from the meeting held on Tuesday, August 5, 2008, Commissioner Ingram moved, seconded by Commissioner Yelnick, to approve the August 5, 2008 meeting minutes, as presented. Carried by unanimous voice vote (4/0/3).

**VI. ADJOURNMENT**

There being no further business to discuss before the Commission, Commissioner Costelloe entertained a motion to adjourn the meeting. Commissioner Andrews moved, seconded by Commissioner Yelnick, to adjourn the meeting at 8:35 p.m. Carried by unanimous voice vote (6/0/0).

Respectfully Submitted,  
Kathy Leach, Recording Secretary  
Planning and Zoning Commission